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SUBJECT: PART 1 OF 2: COSTA RICA'S NINTH ANNUAL TRAFFICKING IN  
PERSONS (TIP) REPORT

REF: A) 08 SAN JOSE 911 B) 08 STATE 132759 C) 08 SAN JOSE 194 D)  
08 SAN JOSE 833 E) 08 STATE 93829 F) SAN JOSE 0040

11. (U) Part 2 of this report is being sent septel.

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SUMMARY  
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12. (U) The most significant progress the GOCR made since the November 2008 TIP Interim Assessment (Ref A) - and during the reporting period in general - was its February 12, 2009, passage of a Victim and Witness Protection Act, which amended Article 172 of the Penal Code to criminalize internal trafficking and to strengthen trafficking statutes. The law also provided for general protections of victims and witnesses - including for trafficking crimes. This major accomplishment, Post believes, should help move Costa Rica off the Tier 2 Watchlist for 2009.

13. (U) As stated in Ref A, the 2008 TIP Tier Two Watchlist downgrade succeeded as a wake-up call for the GOCR's anti-TIP National Coalition (officially the National Coalition against Smuggling of Migrants and Trafficking in Persons), headed by Vice Minister of Public Security and Governance, Ana Duran. However, much of this progress might have been made without the downgrade due to: more NGO "observers" added to the government's National Coalition in early 2008; and GOCR budgetary resources being dedicated to the Coalition for the first time for 2008. In other words, the capacity of the Coalition itself improved.

14. (U) The GOCR made progress since March 2008 toward prevention, prosecution, and protection of victims, mainly through the work of the Coalition. This progress included: final passage of the above-mentioned law that criminalized internal trafficking; investigation of possible trafficking cases; continuation of a multi-year TIP route mapping project with Save the Children to enhance understanding of the problem and to compile TIP data; dedication of more than \$100,000 in budgetary resources to the National Coalition; launch of a major media awareness campaign with UNICEF; development of an inter-institutional protocol for identifying and coordinating immediate assistance to potential victims; and training 973 police, immigration, health officials, members of civil society and vulnerable populations.

15. (U) The GOCR also hosted a regional conference of anti-TIP national coalitions (which Post is nominating as a 2009 TIP "Best Practice," see Section VI), and the NGO Foundation Paniamor was key in implementing an information system designed to help Prosecutor's Offices collect data on child sexual exploitation and trafficking to help with building cases. END SUMMARY.

16. (U) The following information is keyed to Ref B questions.

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1I. THE COUNTRY'S TIP SITUATION  
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1A. (SBU) SOURCES OF INFORMATION, RELIABILITY, DOCUMENTATION:

--The National Anti-TIP Coalition - reliable;

--International Organization for Migration (IOM, Spanish acronym OIM) - very reliable; working on a TIP traffickers and victims profile for Costa Rica that is still in field research phase; IOM completed two studies between 2007 and 2008, and results were presented with INAMU (see below) in February 2009;

--UN Office on Drugs and Crime (UNODC) - reliable; presented "Diagnostic of National and Regional Capacities for the Criminal Prosecution of the Crime of Trafficking in Persons" along with the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) in February 2009;

--UNICEF - reliable;

--International Labor Organization (ILO, Spanish acronym OIT) - reliable;

--National Child Welfare Institute (PANI) - did not answer Post specifically for this report but sent PANI's last annual report; reliability could depend on subject matter, as evidenced by October 28, 2008, La Nacion article (Post will email to G/TIP's Fleck);

--National Women's Institute (INAMU) - somewhat reliable;

--Judicial Branch, Public Ministry, General Prosecutor's Office - generally uncooperative in providing information and statistics; not reliable according to INAMU and IOM 2009 report; however, Sex Crimes prosecutor is very knowledgeable on TIP and reliable;

--Judicial Investigation Organism (OIJ, Spanish acronym) - national investigative police; knowledgeable and fairly reliable (number of cases under investigation varies);

--Migration Directorate and Migration Police - reliable and somewhat reliable; part of National Coalition;

--Rahab Foundation - NGO that works with victims of sexual exploitation and trafficking; reliable;

--Paniamor Foundation, child welfare NGO - reliable; produces annual trafficking "mapping" with Save the Children of Sweden; and

--Alianza por tus Derechos (Alliance for your Rights) - NGO that works with victims of sexual exploitation and trafficking; reliable.

IOM noted that the most reliable primary sources of information are the victims themselves and the institutions that assist them, with less reliable information coming from police, the 911 emergency line, and judicial entities. Lastly, academic studies are a source of TIP information. The ILO pointed to three databases in use to gather statistics: two at PANI to compile data on child sexual exploitation cases (DEV-INFO-LAC-ESC and SDESC); and one in the Judicial Branch (SISCESCO, see Section IV) to track and develop sex crimes cases. The usefulness of these databases, however, is limited.

1B. COUNTRY OF ORIGIN, TRANSIT, DESTINATION; PATTERNS; NUMBERS:

1) (U) Costa Rica is recognized as a source, transit, and destination country for men, women and children trafficked for the purpose of sexual exploitation and - to a lesser degree - for labor exploitation. During the reporting period, victims were trafficked to Costa Rica from Nicaragua, the Dominican Republic, Colombia, and Guatemala. While evidence suggested that most trafficked persons apparently remained in the country, according to the IOM at least one individual transited to Mexico, and a historical pattern existed for victims to transit the country en route to the U.S., Canada, Europe, and occasionally other countries, including Japan. Chinese victims were known to have been trafficked in the past to Costa Rica for labor exploitation (Ref C).

2) (SBU) OTHER POTENTIAL NATIONALITIES: Media reports of foreign women rounded up by the Migration Police in tourist-area nightclubs

sometimes mention Russians or Eastern Europeans among those detained; however, they are often treated as undocumented aliens, and because prostitution is legal, whether or not they are trafficking victims often goes undetermined. The same is true for many Dominicans (Ref D). One observer mentioned a rumored case of an Albanian victim and/or trafficker, but that anecdotal information had not yet been verified, nor could Post be certain that this incident took place during the reporting period.

3) (SBU) FOUR KNOWN CASES: During the reporting period, the IOM had direct knowledge of four specific, known trafficking cases:

- a Costa Rican woman taken to Mexico for sexual exploitation;
- a Nicaraguan woman kidnapped and exploited in Costa Rica for sexual and domestic labor purposes;

- a Guatemalan woman kidnapped for sexual exploitation who escaped before being taken out of her country; she ended up in Costa Rica after she fled; and

- a Colombian man working for an itinerant circus group - whose contract terms were violated and ID documents seized - and who left the circus while in Costa Rica.

According to the National Coalition, during the reporting period, the Judicial Branch identified approximately five trafficking cases.

This statistic was not available directly from the Public Ministry.

4) (SBU) DOMINICAN CASES: It has been reported widely in the media since April 2008 that 400-500 Dominicans were trafficked to Costa Rica during the last 4-5 years for purposes of sexual exploitation. According to these reports, an organized ring often smuggles the women into Costa Rica and arranges "proxy marriages" for them so they may obtain residency and work in the sex trade. While some may be trafficking victims (owing debt to the smuggler/traffickers and having their families or property in the Dominican Republic threatened if they leave Costa Rica), some may have come willingly and knowingly to the country to work in legal prostitution (Ref D). Therefore, it is very difficult to discern the true number of Dominican trafficking victims in this situation.

5) (SBU) SUSPECTED CASES: During the reporting period, the National Coalition noted that despite the Judicial Branch's figures above, the Coalition's Victims Protection Subcommittee "worked on" approximately 30 potential trafficking "situations." One was confirmed as a trafficking case, and the victim was granted special refugee status in coordination with the UN High Commissioner for

Refugees and IOM (the Guatemalan case noted above). According to the Coalition, these cases had been analyzed by the appropriate judicial authorities.

6) (U) LABOR EXPLOITATION: Since the G/TIP-funded IOM-Rahab Foundation project for care of trafficking victims in Jaco ended in May 2008, no new information has come to Post's attention regarding patterns of trafficking men for labor exploitation. As reported in Ref C, men were identified as victims of trafficking for labor in the fishing industry and in the construction industry, such as in the building of marinas and other resort facilities. Chinese men who were trafficked were destined to work in restaurants.

7) (U) TIP MAPPING: Paniamor, in conjunction with Save the Children of Sweden, has conducted a TIP "Geographic and Social Mapping" of children and adolescents trafficked for sexual exploitation each year since 2004. The Mapping gathers both anecdotal information and statistics. It intends to profile the problem and to serve as a guide for governmental policy. In October 2008, the NGOs released the results of a "meta-analysis" of the data compiled for the 2005-2007 Mappings. Results of the 2008 Mapping should be ready in March 2009.

8) (U) TIP MAPPING - ROUTES: According to Paniamor, the routes have not changed since 2004, and they feel confident that the routes are established and known. They will continue to focus on social aspects - such as recruitment procedures - which they state do change from time to time. As for routes and victim/trafficker profiles (for child and adolescent trafficking), results of the 2005-2007 meta-analysis, showed:

- the most vulnerable provinces for "commercial child sexual exploitation" are Guanacaste, Limon and Puntarenas;
- the most vulnerable provinces for "trafficking" of children and adolescents for purposes of child sexual exploitation are

Guanacaste, San Jose and Puntarenas;  
--San Jose is the major "destination" and "redistribution" point of both internal and transnational trafficking;  
--external trafficking routes retain a south to north tendency, coinciding with migratory phenomenon;  
--many victims are minors: 4 out of 10 people that cross the border at unauthorized locations are minors;  
--a multitude of internal routes exist; internal trafficking is fed by a flow of minors that enter from Nicaragua en route to San Jose; and  
--there are more than 100 "blind spots" for illegal entry/exit along the Nicaraguan and Panamanian borders.

9) (U) TIP MAPPING - CLIENTS AND VICTIMS: The meta-analysis also showed:

--foreigners in the company of minors, suspected of child sexual exploitation (the clients), range from 40 to 65 years of age, averaging 50 years old; they are most frequently from the United States, followed by European countries (Sweden, Germany, Italy); and

--victims range from 11 to 19 years old, averaging 13 years; the majority are female.

Paniamor told us that even though their Mapping focused on minors, most trafficking victims were usually no older than 25 because once they reached a certain age, they were no longer as "profitable" for trafficking.

10) (U) TIP MAPPING - TRAFFICKERS: With respect to perpetrators and intermediaries, the meta-analysis showed:

--Nationals involved were mechanics, truck drivers, police, immigration officials, lawyers, taxi drivers, "coyotes," and adult female recruiters; and

--Foreign exploiters came from the countries in para 9, were retirees or residents, and included educators, judges, and athletes, among others.

11) (U) TIP MAPPING - WHERE ACTIVITY TAKES PLACE: The meta-analysis showed that the sexual exploitation usually took place in hotels, motels, "cabinas," bars, nightclubs, restaurants, beaches, banana plantations, houses, apartments, condominiums, "quintas" (defined as private, set-back residences), boats, cruise ships, and yachts.

12) (U) TRAFFICKING PURPOSES/METHODS: As stated in Post's 2008 TIP Report (Ref C), in general, women and children were trafficked into/within the country for sexual exploitation; men, women, and children were sometimes trafficked into/within the country for forced labor as domestic servants, agricultural workers, and workers in the fishing industry. Traffickers often lured victims, generally from impoverished backgrounds, through ads and in person with a promise of secure employment and good pay.

13) (U) PANHANDLING: Also according to Ref C, the majority of international victims are forced into the sex trade, but some have been trafficked for less notorious purposes. For example, the media reported possible indigenous victims of trafficking brought from Panama to Costa Rica for the purpose of panhandling. Authorities from either country have yet to identify this group as victims. Post has no new information on this phenomenon for this year's report.

1C. (U) CONDITIONS VICTIMS TRAFFICKED INTO: The majority of the alleged victims of trafficking identified in the various situations and analyzed by the Coalition were in an illegal immigration status.

Additionally, they showed physical and psychological indicators of trafficking such as malnutrition, anxiety disorders and physical injuries. IOM reported that victims suffered from post-traumatic stress and forced addictions. No information was readily available on the physical conditions of locations where victims were held, except per Ref D.

1D. (U) VULNERABILITY TO TIP: Please see Section B above for vulnerable regions and a victim profile. Vulnerable foreigners included Nicaraguans, Colombians and Dominicans. Many of these cases were linked to sexual exploitation and domestic work, and in the case of males, to construction and agriculture, according to the Coalition. IOM and Paniamor reported that minor females were most vulnerable.

1E. TRAFFICKERS AND THEIR METHODS:

1) (SBU) Please see Section B above. See also Ref D for a discussion of the Dominican modus operandi.

2) (U) From the cases studied by the National Coalition during the reporting period, the Coalition concluded that traffickers were

members of international organized crime groups that offered well-remunerated jobs and seized/retained documents of victims (mainly legal documents) to prevent them from escaping. The Coalition noted that detailed information on traffickers would have to be provided by appropriate judicial authorities since the Prosecutor's Office initiates and oversees investigations.

3) (SBU) According to IOM, based on the cases it has seen and the few cases that had been tried, it appeared that there were established local networks dedicated to internal trafficking. Regional networks and markets also exist. According to victim testimony, Costa Rica is a transit point or holding point ("de enfriamiento" or cooling off) for Dominican women to obtain legal documents and then be taken to Europe or other regions, though some may move on willingly (Ref D). International networks are also evident with the past appearance of Costa Rican TIP victims in Japan.

4) (SBU) UNICEF reported that participants in their workshops/trainings identified beauty academies as a primary means by which traffickers recruit females.

5) (U) Victims were lured to Mexico and Japan by published ads promising work (as a promotional model/dancer in the case of the Costa Rican in Section B). According to IOM, kidnapping was also employed in some cases.

6) (U) As mentioned last year (Ref C), exploitation is not as easily detectable now, since it often takes place in private homes. The Rahab Foundation told us that, especially for child sexual exploitation, children are not prostituted in the streets but "ordered" by phone and brought to a home or condo, especially in San Jose and in tourist areas. The recruiting is usually done through fraud and/or by taking advantage of the vulnerability of the victims.

## II. SETTING THE SCENE FOR GOCR ANTI-TIP EFFORTS

1A. (U) DOES GOCR ACKNOWLEDGE TRAFFICKING AS PROBLEM? The GOCR recognizes TIP as a crime and is taking steps to combat it, primarily under the leadership of the National Coalition. For the first time, the GOCR dedicated the equivalent of \$100,000 of its 2008 budget, earmarked for the National Coalition, to fight trafficking in persons (Ref A). In February 2008, the GOCR incorporated trafficking in persons-related strategies into its National Development Plan for 2006-2010 (Ref C).

### 1B. GOCR AGENCIES INVOLVED IN ANTI-TIP:

1) (U) The Executive Branch has the lead the government's anti-TIP efforts. The National Coalition is headed by the Vice-Minister of Governance (similar to Department of the Interior), within the Ministry of Governance, Police, and Public Security (often called Ministry of Public Security for short). Other Executive Branch coalition members include: Ministry of Labor and Social Security, Ministry of Finance, Ministry of National Planning, Ministry of Health, Ministry of Public Education, Ministry of Foreign Affairs, Ministry of Justice, National Child Welfare Agency (PANI), National Women's Institute (INAMU), and the National Council on Rehabilitation and Special Education. The Judicial Branch has an "observer" role in the Coalition and is represented by a member from the Prosecutor's Office and one from the national investigative Police (OIJ). The Legislative Assembly (national legislature) and Ombudsman's Office also have "observer" status, as do several NGO's.

2) (SBU) The Judicial Branch - which includes the Public Ministry (Ministerio Publico, prosecutors' offices) and the national

investigative police (OIJ) - are responsible for criminal investigations and prosecutions. The International Office of the Public Ministry was designated in June 2008 as the central authority under the UN Convention on Transnational Organized Crime. OIJ investigators work under the direction of prosecutors. Both the prosecutors and investigators have parallel "Sex Crimes" and "Miscellaneous Crimes" Divisions that address TIP. Although the Judicial Branch participates in the Coalition, it does not answer to

the Executive Branch and jealously maintains its institutional independence. Therefore, the Coalition has limited influence over TIP investigations and prosecutions.

3) (U) In May 2008, OIJ formalized the creation of a Smuggling and Trafficking Unit (Ref A). While the Unit does not have its own budget and still reports to the "Kidnapping" Subdivision of the "Miscellaneous Crimes" Division, the office now has its own dedicated space, four agents, and an office director focused on TIP. The Unit received specialized TIP training from UNICEF in 2008. As of February 2009, OIJ reported that it had two active TIP investigations and two active smuggling investigations ongoing.

4) (U) In June 2008, the Ministry of Public Education put into place a protocol to detect situations of commercial sexual exploitation in the school system. The protocol calls for the intervention of other institutions in such a case.

#### C. LIMITATIONS (AND ONE STRENGTH):

1) (SBU) An overriding limitation on the government's ability to combat TIP (aside from the fact that until early 2009 the law did not sanction internal trafficking), is the lack of knowledge and sensitivity to TIP among the general population, which prevents investigation and prosecution. This "mindset" seems to be prevalent:

--among regular Costa Rican citizens who see prostitution as legal and who do not view sex with minors (adolescents) as an abnormal occurrence (especially in rural areas where people tend to marry younger); or among people who think that "at least she's earning something;" and thus, fail to report potential TIP to police;

--among some police who believe the above or who believe that "she likes doing that," referring to prostitution, which - being legal in the country - can sometimes obscure true TIP situations;

--among some prosecutors and judges who maintain the same mindset as the above, or who simply do not understand TIP (with the exception of the Sex Crimes prosecutor who is extremely knowledgeable and concerned about TIP);

--on the part of Costa Rican society, in very general terms, which sees prostitution and trafficking as something in which people of other nationalities are involved, not Costa Ricans.

2) (U) Although during FY 2008 the Ministry of Public Security received exclusive funding to support the Coalition, the Coalition reported that it required more resources to optimize its work plan. UNICEF noted that lack of resources was always a problem for the GOCR. Another limitation of the Coalition, according to Vice Minister Duran, is that it lacks its own permanent administrative structure within the Ministry of Public Security and Government, and it exists by executive order only, which could affect the Coalition's continuity when a new administration takes office in 2010. The Coalition therefore recently introduced a bill in the Legislative Assembly to give the Coalition the force of law.

3) (SBU) The Coalition reported that the lack of knowledge about trafficking in the news media negatively impacted investigations and evidence gathering (as in the case of the Dominicans, Ref D) and made prosecuting cases difficult. The Coalition feels that it is necessary to promote TIP awareness among the news media.

4) (U) In terms of investigations, OIJ's TIP unit reported that its authority was hampered by organizational structure and reporting lines (Ref A). The unit was working around that obstacle in at least one case by including an agent from the Sex Crimes Unit in the investigation.

5) (U) One strength of the Coalition, however, is that the Technical Secretariat is located within the Ministry of Public Security, which contains the regular police force (Fuerza Publica) and the Migration Directorate. This facilitates the Coalition being able to provide TIP identification and prevention training to police and immigration officials.

D. (U) GOCR MONITORING/REPORTING OF ITS ANTI-TIP EFFORTS: The Ministry of Planning, Ministry of Finance and State Comptroller are in charge of monitoring the goals of the Executive Branch, including compliance with the goals of the Coalition as established in the National Development Plan. In general, there is a systematic monitoring of anti-trafficking efforts through the General Law of Public Administration (Law 8131), which stipulates that the State must report on its goal achievement. According to the Coalition, it achieved 100% of its goals as established in the 2008 National Development Plan.

### ----- III. INVESTIGATION AND PROSECUTION OF TRAFFICKERS -----

1A. EXISTING ANTI-TIP LAWS:

1) (U) NEW LEGISLATION: On February 12, 2009, the legislature passed a Victim and Witness Protection Act; Article 19 of the act

amended Article 172 of the Criminal Code (Law No. 7899, dated 3 August 1999) to criminalize internal trafficking and to strengthen trafficking statutes. The new law also provided general protections for victims and witnesses - including specific protections for victims of trafficking crimes in Article 15. The Victim and Witness Protection Act (formerly bill 16973) will have its own public law number once it is published in the Gazette (comparable to the U.S. Federal Register); this is expected to happen very soon.

2) (U) The unofficial translation of Article 19 of the Victim and Witness Protection Act as passed, which amends Article 172, follows:

BEGIN TEXT: ARTICLE 19.

Amendments to Articles 172, 208, 209, 225, 227, 228, 229, 305, 307, 322, 323, 324, 325 y 387 of the Criminal Code, Law No. 4573, as amended. The text shall read as follows:  
Article 172 - Trafficking in Persons

Whoever promotes, facilitates or favors the entrance or exit from the country or transit through the national territory of persons of either gender, for engaging in a commercial sex act or acts or for exploitation, sexual or labor servitude, slavery or practices similar to slavery, forced labor or services, forced marriage, mendacity, removal of organs or illegal adoption, shall be punished with imprisonment from six to 10 years. The penalty shall be imprisonment from eight to 16 years under any of the following circumstances:

- a. When the victim is under the age of 18 years or is in a position of vulnerability or is an incapacitated person.
- b. By means of deception, violence or any other form of intimidation or coercion.
- c. If whoever perpetrates the act is the spouse, person in a situation of cohabitation, the victim's blood relative or relative by affinity.
- d. If whoever perpetrates the act abuses the position of authority or trust of the victim or the victim's family, regardless of kinship.
- e. If whoever perpetrates the act exercises authority by reason of the profession or the position occupied.
- f. The victim suffers a serious injury.
- g. If the criminal act was committed by a criminal group comprised of two or more members.

END TEXT OF ARTICLE 19.

Post will forward the complete final text of bill 16973 as passed, in Spanish, to G/TIP's Fleck.

3) (U) Article 172 now does/does comply with the trafficking definition established in the Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol), which was ratified by Costa Rica on 09/26/2002 (Law No. 8315). In Post's view, this is a significant accomplishment for Costa Rica and remedies a major shortcoming which helped place the country on the Tier 2 Watchlist in the 2008 Trafficking in Persons Report.

4) (U) Notably, Article 15 of the new Victim and Witness Protection Act strengthened protections for TIP victims beyond the scope of the protections afforded in the rest of the act, as follows (unofficial translation):

BEGIN TEXT: ARTICLE 15.

Specific Provisions for the Protection of Human Trafficking Victims  
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Human Trafficking victims shall have the following rights:

a. Have access to information about their rights in a language that they understand and in an accessible way in accordance to their age and maturity.

b. Stay in the country in accordance with current immigration regulations and receive the documentation required for a victim in such circumstances.

c. Victims shall not be included in any special register.

END TEXT OF ARTICLE 15.

5) (U) the Coalition insisted that TIP be linked to organized crime in a parallel organized-crime bill that is before the Legislative Assembly (Ref A). This would allow all enforcement and investigative measures that are available to the judiciary, police and prosecutors for organized crime to be applied to TIP cases - including wiretapping, procedural measures, and an increased statute of limitations. Post will continue to monitor developments as this bill moves through the legislature.

6) (U) Article 374 of the criminal code defines transnational crimes as follows: "The penalty of imprisonment from ten to 15 years shall be imposed on those who lead or are members of international organizations devoted to the trafficking in slaves, women or children, drugs and narcotics, acts of extorting kidnapping or terrorism or infringement on provisions to protect human established in treaties signed by Costa Rica."

7) (U) Additionally, Articles 376 and 377 of the criminal code refer to trafficking in minors, with imprisonment of four to six years in cases with relatives or public employees involved, and up to 10 years in cases of adoption or trafficking of human organs. Currently, Articles 374, 376 and 377 remain in effect, and can serve as alternate statutes if, for example, movement of the victim could not be proven in order to prosecute TIP under the new law, according to IOM.

8) (U) Other articles in the criminal code that relate to trafficking in persons for sexual exploitation are:  
--Article 167, corruption of minors or a legally incapacitated person, imprisonment for up to eight years; and  
--Article 168, aggravated corruption, imprisonment from four to ten years, if the victim is under thirteen years; the act is committed for economic gain; the act is committed through deception, violence, abuse of authority, or any other means as intimidation or coercion; or the perpetrator is a relative or guardian.

9) (U) Article 380 of the Criminal Code, Section III on offenses, imposes a maximum 30-day-fine to any brothel owner or police official who "tolerates" the presence of minors in a brothel. "Day fines" are based on the offender's daily personal income.

1B. (U) PENALTIES FOR SEX TRAFFICKING: Please see above paragraphs.

1C. (U) PENALTIES FOR LABOR TRAFFICKING: The legal definition in Article 172 covers both sexual and labor exploitation. Article 237 of the criminal code sets the penalty for labor exploitation of minors or the legally incapacitated as imprisonment for up to four years. The Ministry of Labor is responsible for monitoring violations of labor rights. The General Labor Inspectorate of the Ministry of Labor conducts inspections, receives complaints and reports those complaints to labor courts of the Judicial Branch, which imposes sanctions or fines. Immigration Law (Law 8487, dated 12 August 2006) regulates the entry and presence of labor migrants in the country and the actions of their employers, to guarantee the protection of migrants' human rights and to impose sanctions to offenders.

1D. (U) PENALTIES FOR RAPE: The penalty for rape is imprisonment for up to 16 years (Article 156 of the criminal code), or 18 years maximum for aggravated rape (Article 157). For sexual abuse of minors and the legally incapacitated, the penalty is imprisonment for up to eight years, or 10 years when the victim is under 13 years, incapable of resisting, or the perpetrator is a relative or guardian (Article 161). If the abuse is committed against an adult, the penalty is from two to four years, and from three to six years if the perpetrator takes advantage of the victim, is a relative, or abuses the trust of the victim (Article 162).

END TEXT OF PART 1.

